

# Town Board Minutes

May 11, 2009

Meeting No. 16

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at 21 Central Avenue, Lancaster, New York on the 11<sup>th</sup> day of May 2009 at 8:00 P.M. and there were

**PRESENT:** JOHN ABRAHAM , COUNCIL MEMBER  
RONALD RUFFINO, COUNCIL MEMBER  
DONNA STEMPIAK, COUNCIL MEMBER  
ROBERT GIZA, SUPERVISOR

**ABSENT:** DANIEL AMATURA, COUNCIL MEMBER

**ALSO PRESENT:** JOHANNA COLEMAN, TOWN CLERK  
JOHN DUDZIAK, TOWN ATTORNEY  
LEONARD CAMPISANO, ASSISTANT BUILDING INSPECTOR  
GARY STOLDT, CHIEF OF POLICE  
DAVID MARRANO, ASSESSOR  
TERRENCE McCracken, GENERAL CREW CHIEF  
ROBERT HARRIS, ENGINEER, WM. SCHUTT & ASSOCIATES

## PERSONS ADDRESSING TOWN BOARD:

**Beutler, Daniel**, spoke to the Town Board on the following matters:

- Auto Mechanic position in Highway Department
- Auto Mechanic Helper position in Highway Department
- contaminated soil in Village of Depew
- Police/Court facility

**Chowaniec, Lee**, spoke to the Town Board on the following matters:

- yoga instruction
- Erie County Sewer Authority membership
- Highway equipment

**Korcz, Richard**, spoke to the Town Board on the following matter:

- former Town employee

**Chester Popiolkowski, President of Lancaster Volunteer Ambulance Corp.**, spoke to the Town Board on the following matters:

- functions of the LVAC and their outreach programs
- open house at LVAC, June 13<sup>th</sup>, 11:00 A.M. to 5:00 P.M.

**Schneggenburger, Roy**, spoke to the Town Board on the following matters:

- Pleasant Meadows rezone
- selection committee

**Paul Welker**, spoke to the Town Board on the following matter:

- Lancaster Volunteer Ambulance Corp.

**PRESENTATION OF PREFILED RESOLUTIONS BY COUNCIL MEMBERS:**

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER RUFFINO, TO WIT:

**RESOLVED**, that the minutes of the Joint Meeting of the Town Board and the Planning Board held April 20, 2009 and the Regular Meeting of the Town Board held April 20, 2009 be and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AMATURA	WAS ABSENT
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	ABSTAINED
SUPERVISOR GIZA	VOTED YES

May 11, 2009

File: RMIN (P1)

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER ABRAHAM, TO WIT:

**RESOLVED**, that the minutes of the Special Meeting of the Town Board held  
April 27, 2009 be and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a vote on  
roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AMATURA	WAS ABSENT
COUNCIL MEMBER RUFFINO	ABSTAINED
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 11, 2009

File: RMIN (P1)

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER STEMPIAK, TO WIT:

**RESOLVED,** that the minutes of the Special Meeting of the Town Board held  
May 4, 2009 be and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a vote on  
roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AMATURA	WAS ABSENT
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	ABSTAINED

May 11, 2009  
File: RMIN (P1)

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER STEMPNIAK WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER ABRAHAM, TO WIT:

**WHEREAS**, a Public Hearing was held on the 20<sup>th</sup> day of April, 2009, on the petition of **Pleasant Meadows Associates, LLC**, for the rezone of certain property located at 3830, 3840 and 3860 Walden Avenue, (S.B.L. No. 93.00-2-26, S.B.L. No. 93.00-2-27, S.B.L. No. 93.00-2-29) in the Town of Lancaster, New York from a Residential Commercial Office District (RCO) to Multi-Family Residential District Four (MFR-4), and

**WHEREAS**, the Planning Board of the Town of Lancaster at its meeting held March 18, 2009 recommended approval of the rezone, and

**WHEREAS**, a SEQR review was completed by the Town of Lancaster acting as lead agency on the proposed rezone with site development plan on April 20, 2009 and a Negative Declaration issued, and

**WHEREAS**, in accordance with Section 239 (m) of the General Municipal Law of the State of New York, the Erie County Department of Planning has reviewed such application for rezone and has no objection with respect thereto, and

**NOW THEREFORE, BE IT**

**RESOLVED**, as follows:

1. That the Zoning Ordinance and Zoning Map of the Town of Lancaster is hereby amended and changed so that the real property hereinafter described is changed from a Residential Commercial Office District (RCO) to Multi-Family Residential District Four (MFR-4):

**ALL THAT TRACT OR PARCEL OF LAND**, situate in the Town of Lancaster, County of Erie and State of New York, being part of Lots 7 and 9, Section 8, Township 11, Range 6 of the Holland Land Survey (so-called), bounded and described as follows:

**BEGINNING** at a point on the easterly line of lands conveyed to Pleasant Meadows Associates, LLC by Deed recorded in Liber 11012 of Deeds at page 165 distant 740.46 north of the northerly boundary line of Walden Avenue as measured along said easterly line;

**THENCE:** through said Pleasant Meadows Associates, LLC lands the following eight (8) courses and distances:

- 1.) N-89°-05'-55"-W, a distance of 50.00 feet to a point;
- 2.) S-55°-39'-40"-W, a distance of 135.00 feet to a point;
- 3.) S-87°-49'-28"-W, a distance of 715.00 feet to a point;
- 4.) Northwesterly, on a curve to the left having a radius of 1,500.00 feet, an arc distance of 170.51 feet to a point of tangency;
- 5.) N-21°-03'-52"-W, a distance of 1, 031.04 feet to a point of curvature;

- 6.) Northwesterly, on a curve to the right having a radius of 1,000.00 feet, an arc distance of 344.93 feet to a point;
- 7.) S-87°-33'-52"-E, a distance of 722.05 feet to a point;
- 8.) S-88°-00'-41"-E, a distance of 664.74 feet to a point on the easterly line of said Pleasant Meadows Associates, LLC lands;

**THENCE:** S-00°-54'-05'-W, along said easterly line, a distance of 1,305.00 feet to the POINT OR PLACE OF BEGINNING containing 37.246 acres be the same more or less.

2. That this zoning change shall be effective upon the following conditions being met by the developer:

**BE IT FURTHER**  
**RESOLVED** that the Town Clerk of the Town of Lancaster is hereby directed to undertake the following actions:

(1) Recite the Zoning Map amendment of the Town Zoning Code in the minutes of the meeting of the Town Board of the Town of Lancaster held on the 11<sup>h</sup> day of May 2009;

(2) Publish a certified copy of the amendment in the Lancaster Bee on or before the 14<sup>th</sup> day of May, 2009

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(3) File the Affidavit of Publication in the Town Clerk’s Office.

(4) Furnish a certified copy of this resolution to the Erie County Department of Environment and Planning.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AMATURA	WAS ABSENT
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 11, 2009

File: rrezoneme3830-3840-3860WaldenAve309a

**LEGAL NOTICE  
NOTICE OF ADOPTION OF AMENDMENT  
ZONING ORDINANCE, TOWN OF LANCASTER  
PLEASANT MEADOW APARTMENTS  
3830, 3840, AND 3860 WALDEN AVENUE**

**LEGAL NOTICE IS HEREBY GIVEN** that the Zoning Ordinance of the Town of Lancaster is hereby amended and the Zoning Map of the said Town is hereby changed so that the real property hereinafter described is changed from a Residential Commercial Office District (RCO) to Multi-Family Residential District Four (MFR-4):

**ALL THAT TRACT OR PARCEL OF LAND**, situate in the Town of Lancaster, County of Erie and State of New York, being part of Lots 7 and 9, Section 8, Township 11, Range 6 of the Holland Land Survey (so-called), bounded and described as follows:

**BEGINNING** at a point on the easterly line of lands conveyed to Pleasant Meadows Associates, LLC by Deed recorded in Liber 11012 of Deeds at page 165 distant 740.46 north of the northerly boundary line of Walden Avenue as measured along said easterly line;

**THENCE:** through said Pleasant Meadows Associates, LLC lands the following eight (8) courses and distances:

- 1.) N-89°-05'-55"-W, a distance of 50.00 feet to a point;
- 2.) S-55°-39'-40"-W, a distance of 135.00 feet to a point;
- 3.) S-87°-49'-28"-W, a distance of 715.00 feet to a point;
- 4.) Northwesterly, on a curve to the left having a radius of 1,500.00 feet, an arc distance of 170.51 feet to a point of tangency;
- 5.) N-21°-03'-52"-W, a distance of 1, 031.04 feet to a point of curvature;
- 6.) Northwesterly, on a curve to the right having a radius of 1,000.00 feet, an arc distance of 344.93 feet to a point;
- 7.) S-87°-33'-52"-E, a distance of 722.05 feet to a point;
- 8.) S-88°-00'-41"-E, a distance of 664.74 feet to a point on the easterly line of said Pleasant Meadows Associates, LLC lands;

**THENCE:** S-00°-54'-05"-W, along said easterly line, a distance of 1,305.00 feet to the POINT OR PLACE OF BEGINNING containing 37.246 acres be the same more or less.

**May 11, 2009**

**STATE OF NEW YORK :  
COUNTY OF ERIE : ss:  
TOWN OF LANCASTER :**

**THIS IS TO CERTIFY** that I, Johanna M. Coleman, Town Clerk of the Town of Lancaster, in said County of Erie, have compared the foregoing copy of an Ordinance on the 11<sup>th</sup> day of May 2009 and that the same is a true and correct copy of said original, and of the whole thereof.

**IN WITNESS WHEREOF**, I have hereunto signed my hand and affixed the Seal of said Town this 11<sup>th</sup> day of May, 2009.

**(S E A L)**

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Johanna M. Coleman, Town Clerk

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER RUFFINO, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER STEMPIAK, TO WIT:

**WHEREAS**, the Town of Lancaster has previously entered into an Agreement to furnish Dog Control Services to the Village of Depew, which Agreement will expire according to its terms on May 31, 2009, and

**WHEREAS**, the Town Board of the Town of Lancaster desires to renew said Agreement for a 5-year term commencing June 1, 2009 through May 31, 2014;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Supervisor of the Town of Lancaster be and is hereby authorized to execute an Agreement with the Village of Depew setting forth the terms and conditions for the performance of certain services for the Village of Depew involving dog control.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AMATURA	WAS ABSENT
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 11, 2009



THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCIL  
MEMBER RUFFINO, TO WIT:

**WHEREAS**, General Crew Chief Terrence McCracken, by letter dated May 5, 2009, has requested the appointment of seasonal employees in the Parks, Recreation and Forestry Department of the Town of Lancaster for the Summer of 2009.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the following individuals be and are hereby appointed to the position of seasonal employees for the Summer of 2009 in the Parks, Recreation and Forestry Department of the Town of Lancaster, with no benefits at the following hourly rate:

<u>NAME</u>	<u>POSITION</u>	<u>PAY RATE/HR.</u>
George Besch (rehire) Lancaster, New York	Recreation Attendant (Tennis Supervisor)	\$14.25
Andrea Berry (rehire) Lancaster, New York	Recreation Attendant (Tennis Instructor)	\$8.15
Josh Berry (new hire) Lancaster, New York	Recreation Attendant (Tennis Instructor)	\$7.25
Courtney Canazzi (new hire) Lancaster, New York	Recreation Attendant (Tennis Instructor)	\$7.25
Anthony Fronczak (rehire) Lancaster, New York	Recreation Attendant (Tennis Instructor)	\$8.15
Aaron Hejmowski (rehire) Lancaster, New York	Recreation Attendant (Tennis Instructor)	\$9.65
Jennifer Ickowski (new hire) Lancaster, New York	Recreation Attendant (Tennis Instructor)	\$7.25
Sarah Malczewski (new hire) Lancaster, New York	Recreation Attendant (Tennis Instructor)	\$7.25
Chelsea Mang (rehire) Lancaster, New York	Recreation Attendant (Tennis Instructor)	\$7.40
Nichole Mang (new hire) Lancaster, New York	Recreation Attendant (Tennis Instructor)	\$7.25
Jessica Page (rehire) Lancaster, New York	Recreation Attendant (Tennis Instructor)	\$7.25
Michelle Page (rehire) Lancaster, New York	Recreation Attendant (Tennis Instructor)	\$7.65
Andrew Puleo (rehire) Lancaster, New York	Recreation Attendant (Tennis Instructor)	\$7.65
Andrea Roney (rehire) Lancaster, New York	Recreation Attendant (Tennis Instructor)	\$7.25
Karen Stacy (new hire) Lancaster, New York	Recreation Attendant (Tennis Instructor)	\$7.25

Benjamin Steele (new hire) Lancaster, New York	Recreation Attendant (Tennis Instructor)	\$7.25
Deanna Stengel (rehire) Lancaster, New York	Recreation Attendant (Tennis Instructor)	\$8.15
Riley Stepnick (rehire) Lancaster, New York	Recreation Attendant (Tennis Instructor)	\$7.25
James Weiss (rehire) Lancaster, New York	Recreation Attendant (Tennis Instructor)	\$7.25
Kara Karcher (rehire) Lancaster, New York	Lifeguard (Pool Director)	\$12.25
Colleen Anderson (rehire) Lancaster, New York	Lifeguard	\$8.15
Kelsie Blizzard (rehire) Lancaster, New York	Lifeguard	\$7.90
Sydney Blizzard (new hire) Lancaster, New York	Lifeguard	\$7.25
Jennifer Cicero (new hire) Lancaster, New York	Lifeguard	\$7.25
Danielle Egger (rehire) Lancaster, New York	Lifeguard	\$7.65
Kathryn Faul (rehire) Lancaster, New York	Lifeguard	\$8.90
Samantha Gajewski (rehire) Lancaster, New York	Lifeguard	\$8.90
Jonathan Gall (new hire) Lancaster, New York	Lifeguard	\$7.25
Emily Grucella (rehire) Lancaster, New York	Lifeguard	\$8.15
Brian Harder (rehire) Lancaster, New York	Lifeguard	\$9.25
Kelly Jablonski (rehire) Lancaster, New York	Lifeguard	\$8.65
Jessica Jaroszewski (rehire) Lancaster, New York	Lifeguard	\$8.15
Eric Jordan (new hire) Lancaster, New York	Lifeguard	\$7.25
Darren Jurewicz (rehire) Lancaster, New York	Lifeguard	\$8.90
Thomas Kasprzyk (rehire) Lancaster, New York	Lifeguard	\$7.65
Austin Kelm (rehire) Depew, New York	Lifeguard	\$8.65
Keith Krajewski (rehire) Lancaster, New York	Lifeguard	\$7.65

Bryan Krajewski (new hire) Lancaster, New York	Lifeguard	\$7.25
Kyle Leto (new hire) Lancaster, New York	Lifeguard	\$7.25
Matt Loecher (new hire) Lancaster, New York	Lifeguard	\$7.25
Jordan Manley (rehire) Lancaster, New York	Lifeguard	\$7.65
Julia Nawrocki (new hire) Lancaster, New York	Lifeguard	\$7.25
Jennifer O'Connor (rehire) Lancaster, New York	Lifeguard	\$9.75
Ryan Pericozzi (rehire) Lancaster, New York	Lifeguard	\$7.65
Stephanie Pericozzi (rehire) Lancaster, New York	Lifeguard	\$8.40
Amanda Poe (rehire) Lancaster, New York	Lifeguard	\$9.65
Robert Prawel (rehire) Lancaster, New York	Lifeguard	\$8.40
Ryan Richter (new hire) Lancaster, New York	Lifeguard	\$7.25
Eric Rindo (new hire) Lancaster, New York	Lifeguard	\$7.25
Julia Ruggiero (rehire) Lancaster, New York	Lifeguard	\$8.15
Leah Santasiero (rehire) Lancaster, New York	Lifeguard	\$7.25
Chelsea Saxe (rehire) Lancaster, New York	Lifeguard	\$7.25
Matthew Speyer (rehire) Depew, New York	Lifeguard	\$7.25
Allison Swatsworth (rehire) Lancaster, New York	Lifeguard	\$8.15
Steven Szcpanowski (new hire) Lancaster, New York	Lifeguard	\$7.25
Jamie Volkenner (rehire) Lancaster, New York	Lifeguard	\$8.15
Erin Weigand (rehire) Lancaster, New York	Lifeguard	\$7.25
Nicholas Weigand (rehire) Lancaster, New York	Lifeguard	\$8.40
Kristyn Wind (rehire) Lancaster, New York	Lifeguard	\$9.50

Justin Yates (rehire) 6 Sugarbush Lane, Lancaster	Lifeguard	\$7.25
Matt Young (new hire) Lancaster, New York	Lifeguard	\$7.25
Alexandra Zarbo (new hire) Lancaster, New York	Lifeguard	\$7.25
Andrew Zalenski (rehire) Lancaster, New York	Lifeguard	\$7.90
Anthony Ambrose (rehire) Lancaster, New York	Recreation Attendant (Playground Supervisor)	\$8.75
Joseph Aquino (rehire) Lancaster, New York	Recreation Attendant (Playground Supervisor)	\$8.75
Melissa Batt (rehire) Lancaster, New York	Recreation Attendant (Playground Supervisor)	\$11.00
Katie Herdzik (rehire) Lancaster, New York	Recreation Attendant (Playground Supervisor)	\$8.25
Courtney Monin (rehire) Lancaster, New York	Recreation Attendant (Playground Supervisor)	\$8.50
Richard Wojciechowski (rehire) Lancaster, New York	Recreation Attendant (Playground Supervisor)	\$13.75
Katie Aquino (rehire) Lancaster, New York	Recreation Attendant (Playground Attendant)	\$7.25
Julianne Aquino (rehire) Lancaster, New York	Recreation Attendant (Playground Attendant)	\$7.40
Kathryn Boughton (rehire) Lancaster, New York	Recreation Attendant Playground Attendant)	\$7.25
Mallory Derkovitz (rehire) Lancaster, New York	Recreation Attendant (Playground Attendant)	\$7.40
Matthew Geary (rehire) Lancaster, New York	Recreation Attendant (Playground Attendant)	\$7.40
Craig Krempa (rehire) Lancaster, New York	Recreation Attendant (Playground Attendant)	\$7.25
Eric Leon (rehire) Lancaster, New York	Recreation Attendant (Playground Attendant)	\$7.40
Lindsey Marrano (rehire) Lancaster, New York	Recreation Attendant (Playground Attendant)	\$7.90
Lindsay Michalak (rehire) Lancaster, New York	Recreation Attendant (Playground Attendant)	\$7.65
Laura Pawlikowski (rehire) Lancaster, New York	Recreation Attendant (Playground Attendant)	\$7.25
Joelle Polanowski (rehire) Lancaster, New York	Recreation Attendant (Playground Attendant)	\$7.25
Kathryn Porreca (rehire) Lancaster, New York	Recreation Attendant (Playground Attendant)	\$7.40

Caitlin Siresi (rehire) Lancaster, New York	Recreation Attendant (Playground Attendant)	\$7.25
Robert Stephan (rehire) Bowmansville, New York	Recreation Attendant (Playground Attendant)	\$7.25
Ashley Tom (rehire) Lancaster, New York	Recreation Attendant (Playground Attendant)	\$7.25
Sara Wozniak (rehire) Lancaster, New York	Recreation Attendant (Playground Attendant)	\$7.25
Alex Barnhardt (rehire) Lancaster, New York	Laborer	\$7.65
Andrew Geary (rehire) Lancaster, New York	Laborer	\$7.40
John Gerber (rehire) Lancaster, New York	Laborer	\$7.40
Dan Gill (rehire) Lancaster, New York	Laborer	\$8.40
Rich Girdlestone (rehire) Lancaster, New York	Laborer	\$7.25
D.J. Hibbs (rehire) Lancaster, New York	Laborer	\$11.25
Scott Lawniczak (rehire) Lancaster, New York	Laborer	\$8.40
Anthony Marrano (rehire) Lancaster, New York	Laborer	\$7.25
Ryan Miller (rehire) Lancaster, New York	Laborer	\$7.40
Joshua Nantka (rehire) Lancaster, New York	Laborer	\$7.25
Patrick Schunk (rehire) Lancaster, New York	Laborer	\$8.40
Matthew Urbanski (rehire) Lancaster, New York	Laborer	\$7.40
Joshua Durkin (rehire) Depew, New York <b><u>(Effective: Retroactive to 5/6/09)</u></b>	Laborer	\$7.65

**BE IT FURTHER**

**RESOLVED**, that the Supervisor of the Town of Lancaster take the necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AMATURA	WAS ABSENT
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 11, 2009

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER STEMPNIAK, TO WIT:

**WHEREAS**, the Building and Zoning Inspector, by memorandum dated May 5, 2009, has recommended the appointment of Beth Cook of Lancaster, New York to the position of Building and Zoning Clerk (Provisional) in the Town of Lancaster Building Department to fill the vacancy due to the retirement of Caron Garcia.

**NOW, THEREFORE, BE IT**

**RESOLVED**, as follows:

1. That Beth Cook of Lancaster, New York be and is hereby appointed to the position of Building and Zoning Clerk (Provisional) in the Town of Lancaster Building Department with full benefits effective May 12, 2009.
2. That the salary for this position shall be on step per the White Collar Agreement with the Town of Lancaster with a starting salary of \$32,218. per annum which is 85% of the full rate of \$37,904.
3. That Beth Cook must take the next civil service test for Building & Zoning Clerk, and that this position will be filled permanently at a future date upon establishment of a civil service list and in accordance with the Erie County Civil Service Rules.
4. That the Supervisor take the necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AMATURA	WAS ABSENT
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 11, 2009

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER RUFFINO, TO WIT:

**WHEREAS**, the Deputy Highway Superintendent of the Town of Lancaster, by letter dated May 5, 2009, has requested to upgrade Anthony P. Rogacki from the position of Automotive Mechanic Helper to the position of Automotive Mechanic as a replacement for Mark Pempsell who retired on April 29, 2009.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that Anthony P. Rogacki be and is hereby upgraded from Automotive Mechanic Helper to Automotive Mechanic effective May 12, 2009, at the rate of \$25.05 per hour and continuing to accrue all benefits and salary in accordance with the departmental procedures set forth in the current C.S.E.A. Blue Collar contract.

**BE IT FURTHER**

**RESOLVED**, that the Supervisor of the Town of Lancaster take the necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AMATURA	WAS ABSENT
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 11, 2009



THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER ABRAHAM, TO WIT:

WHEREAS, the Deputy Highway Superintendent of the Town of Lancaster, by letter dated May 5, 2009, has requested to upgrade William B. Wiefert from the position of Light Equipment Operator to the position of Automotive Mechanic Helper as a replacement for Anthony Rogacki.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that William B. Wiefert be and is hereby upgraded from Light Equipment Operator to Automotive Mechanic Helper effective May 12, 2009, at the rate of \$24.71 per hour and continuing to accrue all benefits and salary in accordance with the departmental procedures set forth in the current C.S.E.A. Blue Collar contract.

**BE IT FURTHER**

**RESOLVED**, that the Supervisor of the Town of Lancaster take the necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AMATURA	WAS ABSENT
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 11, 2009

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER RUFFINO, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER ABRAHAM, TO WIT:

**WHEREAS**, Anthony Garmone, 220 Enchanted Forest N., Depew, New York has applied for a Dumping Permit for property situate at 220 Enchanted Forest N., within the Town of Lancaster, pursuant to Chapter 22-8 of the Code of the Town of Lancaster, and

**WHEREAS**, the application was referred to the Building Inspector and Town Engineer for review and recommendation, and

**WHEREAS**, the Building Inspector and Town Engineer have completed their review and made a formal, favorable recommendation to the Town Board, and

**WHEREAS**, the source of the fill will be from the Brookside Village Townhouses.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that Anthony Garmone, 220 Enchanted Forest N., Depew, New York, be and is hereby authorized to dump and dispose of materials outside permitted sanitary landfills within the Town of Lancaster, namely on premises owned by applicant at 220 Enchanted Forest N., Depew, New York, said dumping to be in strict conformance with the application of the petitioner as filed in the Office of the Town Clerk, and

**BE IT FURTHER**

**RESOLVED**, that this permit is conditioned in accordance with the recommendations of the Town Engineer and Building Inspector as follows:

1. Fill shall consist of hard clay, stones, broken concrete or asphalt. No building demolition material such as wood, asphalt shingles, asbestos tiles, etc. are permitted.
2. Access to the site shall be controlled to prevent unauthorized dumping of non-permitted material.
3. Dirt tracked on the road must be cleaned on a daily basis and more often if necessary. The Town of Lancaster Police shall stop operation immediately upon complaint of dirty road..
4. Fill area shall be topsoiled and seeded upon completion of filling.
5. Dumping will be allowed between the hours of 7 A.M. and 8 P.M. Monday through Saturday. No dumping shall be allowed on Sunday.
6. Dust from the site shall also be prevented from migrating off site.

**BE IT FURTHER**

**RESOLVED**, that no building permit for the construction of any structure on the SBL premises upon which this dumping permit is issued shall be approved by the Town Building Inspector until such time as the Building Inspector certifies in writing to the Town Board that the conditions enumerated on this resolution have been fully complied with, and

**BE IT FURTHER**

**RESOLVED**, that pursuant to Chapter 22-8(D)(6) of the Code of the Town of Lancaster the permit authorization granted herein **expires one year from date of this resolution.**

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AMATURA	WAS ABSENT
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA \_\_\_\_\_, WHO  
MOVED ITS ADOPTION, \_\_\_\_\_ SECONDED BY  
COUNCIL MEMBER ABRAHAM, \_\_\_\_\_ TO WIT:

**WHEREAS**, the Town Board of the Town of Lancaster has previously  
advertised for bids for furnishing six (6) new 2009 Police Patrol Vehicles and two (2) 2009 Mid-  
size vehicles for use by the Lancaster Police Department, and

**WHEREAS**, Ford Motor Company was unable to provide the two (2)  
2009 mid-sized vehicles due to factory production issues, therefore, Ford Motor Company will  
be providing two (2) 2010 Ford Fusion SE Types at the 2008 price to the Town of Lancaster  
Police Department of the Town of Lancaster in accordance with specifications on file with the  
Town Clerk of the Town of Lancaster, and

**WHEREAS**, said bids were opened on April 24, 2009, and

**WHEREAS**, the Chief of Police of the Town of Lancaster has  
recommended the purchase of the beforementioned vehicles in accordance with said  
specifications from the low bidder thereon, DeLacy Ford, Inc., 3061 Transit Road, Elma, New  
York 14059;

**NOW, THEREFORE, BE IT**

**RESOLVED, as follows:**

**1.** That the bid of DeLacy Ford, Inc. is accepted and that an order for these  
vehicles is hereby authorized to be placed by the Chief of Police as follows:

- A. The purchase of six (6) new 2009 Ford Crown Victoria Police  
Vehicles at a unit price of \$19,702 per vehicle and two (2)  
2010 Ford Fusion SE Type at a unit price of 19,576 per vehicle  
for a total expenditure of \$157,364 minus the trade-in  
allowance for each vehicle as set out in the bid.

**2.** That the following vehicles be traded to DeLacy Ford, Inc., as per the  
trade-in allowances listed on the Bid Form:

- A. One (1) 2007 Ford Crown Victoria  
Vin #2FAHP71W07X131764 \$6,000.00
- B. One (1) 2007 Ford Crown Victoria  
Vin #2FAHP71W77X131759 \$6,000.00

C. One (1) 2007 Ford Crown Victoria Vin #2FAHP71W57X131761	\$6,200.00
D. One (1) 2007 Ford Crown Victoria Vin #2FAHP71W37X131760	\$6,200.00
E. One (1) 2006 Ford Crown Victoria Vin #2FAHP71W76X142405	\$4,200.00
F. One (1) 2005 Ford Crown Victoria Vin #2FAHP71W75X139423	\$3,500.00
G. One (1) 2000 Ford Crown Victoria Vin #2FAFP71W0YX205869	\$800.00
H. One (1) 1998 Ford Taurus Vin #1FAFP52U6WG2240774	\$500.00

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AMATURA	WAS ABSENT
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 11, 2009

File: rpolicebids409a

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER RUFFINO, TO WIT:

**WHEREAS**, an opening exists in the Recreation Department for a part-time Senior Citizens Center Recreation Attendant for a yoga instructor, due to the recent resignation of the previous yoga instructor, and

**WHEREAS**, General Crew Chief Terrence McCracken, by letter dated April 22, 2009, has recommended the appointment of Sharon Arundel of West Seneca, New York to fill the position of Recreation Attendant, part-time at the Senior Citizens Center as a certified yoga instructor. Yoga class is currently scheduled for one class at one hour per week.

**NOW, THEREFORE, BE IT  
RESOLVED**, as follows:

**SECTION 1 :** That Sharon Arundel of West Seneca, New York be and is hereby appointed to the position of Recreation Attendant, part-time in the Senior Citizens Center as a certified yoga instructor.

**SECTION 2:** That Sharon Arundel be compensated at an hourly rate of \$30.00.

**SECTION 3:** That this appointment is retroactive to April 13, 2009.

**BE IT FURTHER,**

**RESOLVED**, that the Supervisor of the Town of Lancaster take the necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AMATURA	WAS ABSENT
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 11, 2009

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER ABRAHAM, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER RUFFINO, TO WIT:

**WHEREAS**, the New York State Liquor Authority requires that an establishment notify the Municipality in which they operate of an application for a liquor license thirty (30) days before it can be considered, and

**WHEREAS, Merrifield Inc., d/b/a The Rose Garden**, 2753 Wehrle Drive, Lancaster, New York, by letter dated May 8, 2009 received in the Office of the Town Clerk of the Town of Lancaster, has indicated their intent to apply for a liquor license with the New York State Liquor Authority, and

**WHEREAS, Merrifield Inc., d/b/a The Rose Garden**, 2753 Wehrle Drive, Lancaster, New York has requested that the thirty (30) day statutory notification to the Town of Lancaster of an application for a liquor license to the New York State Liquor Authority be waived, and

**WHEREAS**, this waiver can only be granted by the Town Board in which the premises is located.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Clerk is authorized to notify the State Liquor Authority that required notification was received by the Town Clerk on May 8, 2009, and

**BE IT FURTHER**

**RESOLVED**, that the Town Board hereby waives the thirty (30) day notification requirement.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AMATURA	WAS ABSENT
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 11, 2009

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO MOVED ITS  
ADOPTION, SECONDED BY COUNCIL  
MEMBER ABRAHAM, TO WIT:

**RESOLVED**, that the following Audited Claims be and are hereby ordered paid from  
their respective accounts as per abstract to be filed in the Office of the Town Clerk by the Director  
of Administration and Finance, to wit:

Claim No. 7848 to Claim No. 8145 Inclusive

Total amount hereby authorized to be paid: \$562,670.95

The question of the foregoing resolution was duly put to a vote on roll call which  
resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AMATURA	WAS ABSENT
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 11, 2009

File: Rclams

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER STEMPNIAK, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER RUFFINO, TO WIT:

**RESOLVED** that the following Building Permit applications be and are hereby reaffirmed:

**CODES:**

- (SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town of Lancaster are waived for this permit.  
(CSW) = Conditional sidewalk waiver  
(V/L) = Village of Lancaster

**PREVIOUSLY TABLED PERMITS:**

16415	Grau Builders	11 Logan Ln	Er. Dwlg.-Sin.
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**NEW PERMITS:**

16602	Pacific Pools	16 Candlestick Ct	Er. Pool-In Grnd
16603	Pacific Pools	16 Candlestick Ct	Er. Fence
16604	Pacific Pools	18 Candlestick Ct	Er. Pool-In Grnd
16605	Pacific Pools	18 Candlestick Ct	Er. Fence
16615	Premier Fence Inc.	35 Bentley Cir	Er. Fence
16616	Lennox, Andrew	232 Peppermint Rd	Er. Garage
16617	Duro Shed	18 Division (V) St	Er. Shed (V/L)
16618	Sahlems	5102 William St	Er. Res. Alt.
16619	Quality Aluminum II	8 Candlestick Ct	Er. Res. Add.
16620	Meegan, Elizabeth	2129 Como Park Blvd	Er. Fence (V/L)
16621	Guardian Fences	78 Pheasant Run Ln	Er. Fence
16622	Forbes Homes	31 Sawgrass Ln	Er. Dwlg.-Sin.
16623	Wehrle Associates	2733 Wehrle Dr	Er. Comm. Bldg.
16624	Shamrock, John	5374 William St	Re-Roof House
16625	Mazurek, Gregory	303 Enchanted Forest N	Er. Deck
16626	Home Depot	24 Sawyer Ave	Er. Fence (V/L)
16627	Parker, King & Taft	5 Jenny Ln	Re-Roof House
16628	Sivec, John	22 Inwood Pl	Dem. Garage (V/L)
16629	Mesner, Steven	392 Seneca Pl	Er. Res. Alt.
16630	City Fence	364 Aurora St	Er. Fence (V/L)
16631	City Fence	91 Pheasant Run Ln	Er. Fence
16632	Tucker Homes	18 Worthington Ln	Er. Dwlg.-Sin.
16633	Stockmohr Co	480 Harris Hill Rd	Re-Roof House
16634	City Fence	77 Pleasant Ave	Er. Fence (V/L)
16635	R & R Roofing	20 Heritage Dr	Re-Roof House
16636	Complete Heat	7 Cambridge Ct	Inst. Generator
16637	Maple Ridge Landscaping	134 Nichter Rd	Inst. In-Ground Sprinkler
16638	Pickett Fence	20 Monroe Ave	Er. Fence
16639	Hardt, Timothy	34 Petersbrook Cir	Er. Deck
16640	Classic Fence	33 Edward St	Er. Fence
16641	Duro-Shed	26 School St	Er. Shed (V/L)
16642	David Homes	17 Sawgrass Ln	Er. Dwlg.-Sin.
16643	Bulera, Lynn	12 Clark St	Er. Deck (V/L)
16644	Accu Grade Inc	38 Veterans Dr	Dem. Dwlg (V/L)



16645	Scott, Phillip	54 Second Ave	Er. Res. Add.	(V/L)
16646	Sahlems Roofing	22 Southpoint Dr	Re-Roof House	
16647	Sahlems Roofing	3 Park Walk	Re-roof House	
16648	Sahlems Roofing	30 Hampton Ct	Re-Roof House	
16645	Scott, Phillip	54 Second Ave	Er. Res. Add.	(V/L)
16649	Farmer, Jean Marie	6 Hidden Trl	Re-Roof House	
16650	Oneida Fence	9 Oakwood Comm	Er. Fence	
16651	Oneida Fence	18 Old Orchard Comm	Er. Fence	
16652	Duro-Shed	25 Pinetree Dr	Er. Shed	
16653	Powers, William	6 Red Clover Ln	Er. Deck	
16654	R & R Roofing	145 Harvey Dr	Re-Roof House	(V/L)
16655	Expert Fence Co	15 Fox Hunt Rd	Er. Fence	
16656	Sun Enterprises	24 Nicholas Ln	Er. Shed	
16657	Colley's Pools	42 Nicholas Ln	Er. Pool-In Grnd	
16658	Colley's Pools	42 Nicholas Ln	Er. Fence	
16659	Wm Rott & Son	116 Pheasant Run Ln	Re-Roof House	
16660	Mammoth Construction	208 Schwartz Rd	Re-Roof House	
16661	Perry, John David	6267 Genesee St	Er. Res. Alt.	
16662	Home Depot	668 Townline Rd	Er. Fence	
16663	Baker, Justin	105 Sawyer Ave	Re-Roof House	(V/L)
16664	Boersma, Joan	1208 Penora St	Re-roof House	
16665	F & D Construction	201 St Marys St	Dem. Bldg	(V/L)
16666	The Gutter People	47 Robert Dr	Re-Roof House	(V/L)
16667	Southpaw Const	41 Maple Dr	Re-Roof House	
16668	Southpaw Const	79 Banner Ave	Re-Roof House	(V/L)
16669	Wolski, Rebecca	126 Robert Dr	Er. Fence	(V/L)
16670	Pav's Painting	7 Signal Dr	Re-Roof House	
16671	Crist Construction	5 Butler Dr	Re-Roof House	
16672	Sign Language	1767 Como Park Blvd	Er. Sign	
16673	CJ Diversified	4888 William St	Re-Roof House	
16674	Precision Pools	92 Harvey Dr	Er. Pool-Abv Grnd	(V/L)
16675	Laratonda, Sandra	21 Apple Blossom Blvd	Er. Fence	
16676	J.M. Avino Builders	60 Michael's Walk	Er. Res. Alt.	
16677	Marrano/Marc Equity	66 Avian Way	Er. Dwlg.-Sin.	
16678	Marrano/Marc Equity	12 Carlisle St	Er. Dwlg.-Sin.	
16679	Marrano/Marc Equity	4 Pelham Rd	Er. Dwlg.-Sin.	
16680	Marrano/Marc Equity	73 Avian Way	Er. Dwlg.-Sin.	
16681	Amato, Laura	37 Stone Hedge Dr	Er. Shed	
16682	S & W	6526 Broadway	Er. Sign	
16683	Wood, Terri	30 Fairfield Ave	Re-Roof House	(V/L)
16684	Gronowski, Renee	272 Stony Rd	Er. Deck	
16685	Quality Aluminum II	8 Candlestick Ct	Er. Res. Add.	
16686	Swimco	7 Devonshire Ln	Er. Fence	
16687	Swimco	7 Devonshire Ln	Er. Pool-In Grnd	
16688	Belcher, Kim	6 Lucia Ct	Er. Res. Alt.	
16689	Inglese, Mary	32 Norris Ave	Er. Deck	(V/L)
16690	Baerwalt, Michael	5180 William St	Er. Pole Barn	
16691	David, Nathan	49 Rehm Rd	Er. Deck	

16692	James, Lucas	19 E Drullard Ave	Re-Roof House	(V/L)
16693	Efthemis, Laurie	30 Squirrel Run	Er. Shed	
16694	RGGT	124 Michael's Walk	Re-Roof House	
16695	Sinclair, Suzanne	14 Grafton Ct	Re-Roof House	
16696	D Allen & Son	59 Garfield St	Re-Roof House	(V/L)
16697	Burger, Bruce	149 Brunck Rd	Er. Shed	
16698	Willis, Glen	23 Christen Ct	Er. Fence	(V/L)
16699	Highway, George	185 Lake Ave	Er. Shed	(V/L)
16700	Michael, Anthon	4815 William St	Er. Shed	
16701	Oddi, Dennis	8 Windcroft Ln	Er. Shed	
16702	Richard Fix It	5 Butler Dr	Er. Pool-Abv Grnd	
16703	Ryan Homes Inc	25 Rose St	Er. Dwlg.-Sin.	
16704	Ryan Homes Inc	27 Rose St	Er. Dwlg.-Sin.	
16705	Ryan Homes Inc	20 Rose St	Er. Dwlg.-Sin.	
16706	Stockmohr Co	18 Windsor Ridge Dr	Re-Roof House	
16707	Stockmohr Co	74 Williamsburg Ln	Re-Roof House	
16708	Stockmohr Co	95 Erie St	Re-Roof House	(V/L)
16709	Black Rock Roofing	19 Woodlawn Ave	Re-Roof House	(V/L)
16710	Marzec Construction	30 Hill Valley Dr	Er. Res. Add.	
16711	Marzec Construction	30 Hill Valley Dr	Er. Res. Add.	
16712	Pro Line Pools	35 Ann Marie Dr	Er. Pool-Abv Grnd	
16713	Anasiewicz, John	1416 Townline Rd	Er. Deck	
16714	Slivan Pool	18 Michael's Walk	Er. Pool-Abv Grnd	
16715	Ley, Jeffrey	29 St Marys St	Er. Res. Add.	(V/L)
16716	The Pool Works	115S Irwinwood Rd	Er. Pool-Abv Grnd	(V/L)
16717	Stockton Roofing	106 Laverack Ave	Re-Roof House	(V/L)
16718	Bill Worth Roofing	21 Stone Hedge Dr	Re-Roof House	
16719	Marki, Edward	53 Lakeside Cres	Er. Pool-Abv Grnd	(V/L)
16720	Jabrahamdan, Ahmad	5211 Broadway	Er. Comm. Alt.	(V/L)
16721	Kwiatkowski, Kyle	11 Butler Dr	Er. Deck	
16722	Rickettson, Ronald	614 Hall Rd	Er. Deck	
16723	Miner, George	2753 Wehrle Dr	Er. Fence	
16724	Loos, Norman	672 Townline Rd	Er. Shed	
16725	Moore, Jeffery	92 Aurora St	Dem. Garage	(V/L)
16726	Gagliano Const	48 Stony Brook Dr	Re-Roof House	
16727	Seneca Fence	57 Michael Anthony Ln	Er. Fence	
16728	Steinel, Robert	31 Stone Hedge Dr	Er. Fence	
16729	Switals Siding	55 Fourth Ave	Re-Roof House	(V/L)
16730	Marrano/Marc Equity	433 Pleasant View Dr	Er. Dwlg.-Sin.	
16731	Robert Zacher Inc	2665 Wehrle Dr	Inst. Generator	
16732	R & R Roofing	478 Lake Ave	Re-Roof House	
16733	R & R Roofing	16 Stony Brook Dr	Re-Roof House	
16734	Noble, Matthew	130 Michael's Walk	Er. Shed	
16735	Decks Etc	41 Chicory Ln	Er. Deck	
16736	Decks Etc	24 Clermont Ct	Er. Deck	
16737	Natale Builders	4 Valley Overlook Dr	Er. Dwlg.-Sin.	

**BE IT FURTHER**

**RESOLVED**, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance requirement for sidewalks, and

**BE IT FURTHER**

**RESOLVED**, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AMATURA	WAS ABSENT
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 11, 2009

## **COMMUNICATIONS & REPORTS**

174. Michael J. Beilman to Town Board -  
Letter regarding property reassessment. DISPOSITION = Received & Filed
175. NYS Emergency Management Office to Supervisor -  
Notice of expiration of Town's claims from October 2006 storm. DISPOSITION = Received & Filed
176. Supervisor to Town Board -  
Notice of Special Meeting of the Town Board for the purpose of filling the vacant position of Deputy Highway Superintendent to be held Monday, April 27, 2009 at 4:30PM.  
DISPOSITION = Received & Filed
177. Town Clerk to Various News Media -  
Notice of Special Meeting of the Town Board for the purpose of filling the vacant position of Deputy Highway Superintendent to be held Monday, April 27, 2009 at 4:30 PM.  
DISPOSITION = Received & Filed
178. Supervisor to Town Board -  
Revised notice of Special Meeting of the Town Board to be held Monday, April 27, 2009 at 4:30 PM. DISPOSITION = Received & Filed
179. Town Clerk to Various News Media -  
Revised notice of Special Meeting of the Town Board to be held Monday, April 27, 2009 at 4:30 PM. DISPOSITION = Received & Filed
180. Hon. Dale M. Volker, New York State Senator to Town Clerk -  
Acknowledge receipt of Town resolution to permit Offices of Town Clerk and Superintendent of Highways to remain elected positions. DISPOSITION = Received & Filed
181. General Crew Chief to Planning Board, Council Members Abraham, Ruffino, and Stempniak -  
Notice of lack of landscape plan regarding site plan for Buffalo Crushed Stone Concrete Batch Plant. DISPOSITION = Planning Committee
182. Louis Cacciotti to Town Board -  
Request for approval of 2008 vacation sellback. DISPOSITION = Supervisor
183. Village of Lancaster to Town Board -  
Minutes of meeting held April 6, 2009. DISPOSITION = Received & Filed
184. Village of Lancaster to Town Board -  
Minutes of meeting held April 6, 2009. DISPOSITION = Received & Filed
185. General Crew Chief to Planning Board, Council Members Abraham, Ruffino, & Stempniak -  
Recommendations from the Town Forestry Department regarding site plan of Professional Office Building, 5007-5009 Transit Road. DISPOSITION = Planning Committee
186. Time Warner Cable to Supervisor -  
Update on developments regarding cable services in the town. DISPOSITION = Received & Filed
187. Hodgson Russ LLP to Supervisor, Director of Administration & Finance -  
Letter outlining bond counseling services and billing arrangements for the Town. DISPOSITION = Received & Filed
188. Desiderio's of Broadway to Town Clerk -  
Notice of liquor license renewal application. DISPOSITION = Resolution 5/4/09
189. Deputy Highway Superintendent to Town Board -  
Request bond resolution for purchase of highway equipment. DISPOSITION = For Resolution

190. Cynthia Osborne to Supervisor -  
Submission of letter and petition regarding "No Parking" signs on Country Place.  
DISPOSITION = Police Chief
191. Leon G. and Susan M. Robak to Planning Board Chairman -  
Letter opposing rezone petition of Calamar and the Vine Wesleyan Church, 5335 William Street. DISPOSITION = Planning Committee
192. United States Department of Agriculture to Town Clerk -  
Notification of financing availability for home repair loans and very low income households. DISPOSITION = Received & Filed
193. Town Clerk to Town Board -  
Monthly report for April 2009. DISPOSITION = Received & Filed
194. Supervisor to Town Board -  
Notice of special meeting of the Town Board to be held Monday, May 4, 2009, 4:30 PM regarding 30 day waiver application of liquor license for Desbro Inc., d/b/a Desiderio's.  
DISPOSITION = Received & Filed
195. Town Clerk to Various News Media -  
Notice of special meeting of the Town Board to be held Monday, May 4, 2009, 4:30 PM regarding 30 day waiver application of liquor license for Desbro Inc., d/b/a Desiderio's.  
DISPOSITION = Received & Filed
196. Town Clerk to Town Board -  
Transmittal of third settlement payment for 2009 County/Town Tax Warrant.  
DISPOSITION = Received & Filed
197. Cara Operations Limited to Town Clerk -  
Notice of liquor license renewal application for Swiss Chalet Rotisserie & Grill.  
DISPOSITION = Town Attorney & Town Clerk
198. Village of Lancaster to Town Board -  
Minutes of meeting held April 27, 2009. DISPOSITION = Received & Filed
199. Chief of Police to Town Board -  
Request resolution to award bid for new police vehicles to DeLacy Ford, the low bidder.  
DISPOSITION = Resolution 5/11/09
200. Page's Grille & Bar to Town Clerk -  
Notice of liquor license renewal application. DISPOSITION = Town Attorney & Town Clerk
201. Calamar Enterprises, Inc. to Town Board -  
Summary of findings of proposed independent living senior project, 5335 William Street.  
DISPOSITION = Planning Committee
202. Code Enforcement Officer to Supervisor -  
Request appointment of Beth Cook as Building & Zoning Clerk, provisionally.  
DISPOSITION = Resolution 5/11/09
203. Deputy Highway Superintendent to Town Board -  
Request appointment of Anthony Rogacki as Mechanic and William Wiepert as Mechanic Assistant. DISPOSITION = Resolution 5/11/09
204. Code Enforcement Officer & Town Engineer to Town Board -  
Recommend issuance of dumping permit to Anthony Garmone, 220 Enchanted Forest North; conditions noted. DISPOSITION = Resolution 5/11/09
205. General Crew Chief to Supervisor -  
Request an increase of wages of Recreation Attendant at Senior Center. DISPOSITION = Resolution 5/11/09

206. Chester A. Menkiena, Consultant to Town Clerk -  
Request 30 day waiver for notification of liquor license application for The Rose Garden Restaurant. DISPOSITION = Resolution 5/11/09

**ADJOURNMENT:**

ON MOTION OF COUNCIL MEMBER RUFFINO, SECONDED BY COUNCIL MEMBER ABRAHAM AND CARRIED, the meeting was adjourned at 9:12 P.M. in memory of Raymond Dusza.

Signed \_\_\_\_\_  
Johanna M. Coleman, Town Clerk